

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Gilbertson *et al.*

Serial No.: 10/821,711

Filed: April 8, 2004

For: DNA CONSTRUCTS AND METHODS TO
ENHANCE THE PRODUCTION OF
COMMERCIALY VIABLE TRANSGENIC
PLANTS

Group Art Unit: 1638

Examiner: Kruse, David H.

Atty. Dkt. No.: MONS:140US

**CERTIFICATE OF ELECTRONIC TRANSMISSION
37 C.F.R. § 1.8**

I hereby certify that this correspondence is being
electronically filed with the United States Patent and
Trademark Office via EFS-Web on the date below:

March 27, 2009
Date

/Ron J. Laby/
Ron J. Laby

SUPPLEMENTAL RESPONSE AND AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in supplement to the Response to Official Action dated January 14, 2009, to amend claims in view of teleconferences held by Applicants' undersigned representative and Examiner David Kruse on February 18, 2009 and March 3, 2009.

A Supplemental Information Disclosure Statement and accompanying fee is submitted concurrently. The fee for an additional independent claim, large entity, is also submitted. No additional fees are believed due in connection with the filing of this paper. However, should any such fees become due under 37 C.F.R. §§ 1.16 to 1.21 for any reason relating to the Response,

the Commissioner is authorized to deduct said fees from *Sonnenschein Nath & Rosenthal L.L.P.*

Account No. 19-3140/MONS:140US.

Reconsideration is respectfully requested.